



Entered on Docket  
June 18, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Case No. BK-S-06-10725-LBR

CHAPTER 11

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**Order Sustaining Second Omnibus  
Objection Of USACM Liquidating  
Trust To Proofs Of Claim Based In  
Part Upon Investment In The  
Gramercy Court Loan**

Hearing Date: June 15, 2010  
Hearing Time: 9:30 a.m.

The Court having considered the “Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Part Upon Investment In The Gramercy Court Loan” [DE 8053] (the “Objection”); the Court having heard the Objection on June 15, 2010; appropriate notice of the Objection having been given; no response to the Objection having been filed; and good cause appearing:

1           **IT IS ORDERED** that:

2           1.     The Objection [DE 8053] is sustained;

3           2.     The claims listed on **Exhibit A** attached are disallowed to the extent those  
4     claims are based upon an investment in the Gramercy Court Loan for the reasons set forth  
5     in the objection.

6           3.     The claims listed on **Exhibit A** are not affected by this order to the extent  
7     they are based upon an investment in another loan.

8     PREPARED AND RESPECTFULLY SUBMITTED BY:

9     **LEWIS AND ROCA LLP**

10  
11     By/s/ Robert M. Charles, Jr. (# 6593)

12             Robert M. Charles, Jr.

              John Hinderaker (*pro hac vice*)

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15     *Attorneys for USACM Liquidating Trust*  
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## CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document.]
- ☒ This is a chapter 11 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.
- ☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

U.S. Trustee:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:  
LEWIS AND ROCA LLP

By: /s/ Robert M. Charles, Jr.  
Attorneys for USACM Liquidating Trust

# # #

## Exhibit A

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment in the Gramercy Court Condos Loan
10725-00092	Corison, James	1427 Kearney Street St. Helena, CA 94574	1,023,000.00	50,000.00
10725-02030	Daniel D Newman Trust Dtd 11/1/92	C/O Daniel D Newman Trustee 125 Elysian Dr Sedona, AZ 86336	1,428,037.34	75,000.00
10725-02267	Daniel Living Trust As Amended Dtd 1/9/98	Mark A & Cathy A Daniel Tees 20 Redonda Irvine, CA 92620-1954	1,119,987.66	100,000.00
10725-02356	Denise F Fager Revocable Trust Uad 2/28/03	Denise F Fager Ttee 23741 Brisbane Bay Dana Point, CA 92629  Denise F. Fager, Trustee of the Denise F. Fager Revocable Trust UAD 2/28/03 Denise F. Fager 5 Salvatore Ladera Ranch, CA 92694	1,327,564.06	100,000.00
10725-00297	Donahue, Michael	1795 Newhall Ave Cambria, CA 93428-5507	250,000.00	50,000.00
10725-00473	Donald E & Jaylyle Redmon Family Trst Dtd 10/31/95	Donald E & Jaylyle Redmon Tees 51 Sanlo LN Mountain Home, AR 72653-6333	161,662.50	60,600.00
10726-00067	Doucet, D. Joseph	Trustee Of Doucet Trust 3301 Skyline Blvd. Reno, NV 89509-6604	502,335.71	Unknown
10725-02154	Ellen V Dustman & Oliver Henry	31596 Th St Boulder, CO 80304	303,169.26	100,000.00
10725-02364	Eric C Disbrow M d Inc Profit Sharing Plan	Eric C Disbrow Ttee 3840 Fairway Dr Cameron Park, CA 95682	895,134.00	50,000.00
10725-02184	Everett, John P	Heart Clinics Northwest 6002 N Mayfair St 2nd FL Spokane, WA 99208	423,138.00	90,000.00